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cofc

Docket No.: 215653US2PCT

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Inventor: Guillaume LAFFONT, et al.

Patent No.: 7,184,135

Issued: February 27, 2007

Group Art Unit: 2877

Examiner: Michael P. Stafira

For: REFRACTOMETER WITH BLAZED BRAGG
GRATINGS

*Certificate
MAR 21 2007
of Correction*

SIR:

Attached hereto for filing are the following papers:

REQUEST FOR CERTIFICATE OF CORRECTION
CERTIFICATE OF CORRECTION FORM PTO 1050
COPY OF DECISION ON PETITION UNDER 37 CFR 1.181

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Joseph Scafetta Jr.

Marvin J. Spivak

Registration No. 24,913

Joseph Scafetta, Jr.

Registration No. 26,803

Customer Number
22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 03/06)

1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A.
TELEPHONE: 703-413-3000 FACSIMILE: 703-413-2220 WWW.OBLON.COM

MAR 21 2007

DOCKET NO.: 215653US2PCT/hse



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Guillaume LAFFONT, et al.

PATENT NO.: 7,184,135

GROUP: 2877

ISSUED: February 27, 2007

EXAMINER: Michael P. Stafira

FOR: REFRACTOMETER WITH BLAZED BRAGG GRATINGS

REQUEST FOR CERTIFICATE OF CORRECTION

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
ALEXANDRIA, VA 22313-1450

SIR:

The following is a Request for Certificate of Correction in Serial Number 09/926,511, now U.S. Patent Number 7,184,135.

In accordance with the provisions of Rule 322 of the Rules of Practice, which implement 35 USC 254, the U.S. Patent and Trademark Office is respectfully requested to issue a Certificate of Correction in the above-identified patent.

In light of the fact that the errors were the fault of the U.S. Patent and Trademark Office, no fees are required. The requested corrections are listed on FORM P.T.O. 1050.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Marvin J. Spivak

Registration No. 24,913

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Registration No. 26,803

Customer Number

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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : **7,184,135**

DATED: **Feb. 27, 2007**

INVENTOR(S): **Laffont et al.**

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the title page, Item (86), the Filing Date is incorrect. Item (86) should read:

-- (86) PCT No.: **PCT/IB01/01814**

**§ 371 (c)(1),
(2), (4) Date: Nov. 5, 2002 --**

Mailing address of sender:

Patent No. **7,184,135**

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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : **7,184,135**

DATED: **Feb. 27, 2007**

INVENTOR(S): **Laffont et al.**

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-- (86) PCT No.: **PCT/IB01/01814**

**§ 371 (c)(1),
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www.uspto.gov

18 JAN 2007

OBLON, SPIVAK, MCCLELLAND, MAIER
& NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA VA 22314



In re Application of
Guillaume LAFFONT, et al
Application No.: 09/926,511
PCT No.: PCT/IB01/01814
Int. Filing Date: 02 October 2001
Priority Date: 29 September 2000
Attorney's Docket No.: 215653US2PCT
For: REFRACTOMETER WITH BLAZED
BRAGG GRATINGS

DECISION ON

PETITION

UNDER 37 CFR 1.181

This decision is in response to the "REQUEST TO CORRECT FILING DATE" filed on 17 August 2006, which is being treated as a petition under 37 CFR 1.181 requesting that the filing date of the above declaration was filed on 05 November 2002 so that the correct filing date is 05 November 2002.

BACKGROUND

On 13 November 2001, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, the requisite basic national fee as required by 35 U.S.C. 371(c)(1), and a copy of the international application. Applicant, however, did not satisfy the requirement set forth by 35 U.S.C. 371(c)(4) because no executed Declaration or Oath was provided with the transmittal letter.

On 13 September 2002, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) which informed applicant, inter alia, that an "Oath or Declaration of the inventors, in compliance with 37 CFR 1.47(a) and (b), identifying the application by International application number and international filing date" must be submitted within two months from the date of this Notice or by 32 months from the priority date, whichever is later, in order to avoid abandonment of the national stage application.

On 17 August 2006 applicants submitted this petition indicating that the correct filing date of the application should be 05 November 2002 as evidenced by a copy of the USPTO date-stamped filing receipt.

RECEIVED: *122-07*
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT.
Initials/Date Docketed: *09/17/2007*
Type of Resp(s): _____
Due Date(s): _____

MAR 21 2007

DISCUSSION

Applicants' present the current petition and the postcard shows what was filed purportedly with the USPTO:

- (1) Combined Declaration, Petition & Power of Attorney,
- (2) Supplemental Application Data Sheet,
- (3) Copy of Notification of Missing Requirements.

The postcard lists the above items as submitted on 05 November 2002, and it indicates that, *inter alia*, a declaration was submitted to the U.S. Patent Office on such date.

MPEP 503 provides:

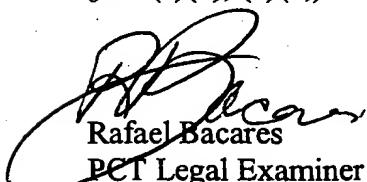
A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all the items listed thereon on the date stamped by the PTO.

Applicant's postcard is accepted as *prima facie* that, *inter alia*, that the declaration was submitted to the U.S. Patent Office on 05 November 2002, and the correct filing date is 05 November 2002.

DECISION

The petition under 37 CFR 1.181 is **GRANTED**.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision that is, for issuance of a Notification of Acceptance of Application (Form PCT/DO/EO/903) identifying the 35 U.S.C. §371(c)(1), (c)(2), and (c)(4) date as **05 November 2002**.



Rafael Bacares
PCT Legal Examiner
PCT Legal Administration
Tel: (571) 272-3276
Fax: (571) 273-0459

MAR 21 2007